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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,588	08/07/2001	Thomas E. Tahan	5181-75900	2724

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EXAMINER
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PYZOCHA, MICHAEL J

ART UNIT	PAPER NUMBER
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2137

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/01/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

09/923,588

Applicant(s)

TAHAN, THOMAS E.

Examiner

Michael Pyzocha

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4,6,8-21,23,25-38,40 and 42-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,6,8-21,23,25-38,40 and 42-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

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**DETAILED ACTION**

1. Claims 1-4, 6, 8-21, 23, 25-38, 40, and 42-51 are pending.
2. The Pre-Appeal Brief request filed 11/14/2006 has been received and considered. Prosecution is hereby reopened.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-3, 6, 8, 10-12, 15-16, 18-20, 23, 25, 27-29, 32-33, 35-37, 40, 42, 44-46, and 49-50 rejected under 35 U.S.C. 103(a) as being unpatentable over McNeil et al. (US 6167052) in view of Kagemoto et al. (US 6584069).

As per claims 1, 18, and 35, McNeil et al. discloses a method of controlling information flow through a firewall comprising: determining a first incoming packet community set (PCS) of a first data packet received on an interface of said firewall (see column 8 line 50 through column 9 line 7); discarding said first data packet in response to detecting said

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PCS is not a subset of an interface community set (IFCS) of said interface (see column 8 line 50 through column 9 line 7); processing said first data packet in response to detecting said first incoming PCS is a subset of said IFCS, wherein said processing comprises: matching said first data packet to a first rule of a plurality of rules of said firewall (see column 9 lines 38-49); changing the first incoming PCS in the first data packet to an outgoing PCS (see column 1 lines 47-53); comparing said outgoing PCS with a destination community set of said first data packet, prior to transmitting the first data packet to said destination community (see column 9 lines 8-14); discarding said first data packet in response to detecting said outgoing PCS is not a subset of said destination community set (see column 9 lines 8-15); further processing said first data packet in response to detecting said outgoing PCS is a subset of said destination community set; wherein the determining, discarding, and processing are performed within a single node of a network (see column 9 lines 1-49).

McNeil et al. fails to disclose comparing consecutive packets and filtering based on this comparison.

However, Kagemoto et al. teaches such comparing and filtering (see column 4 lines 55-64).

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At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the filtering of Kagemoto et al. with the firewall system of McNeil et al.

Motivation to do so would have been to apply the appropriate filtering of packets with the same content (see Kagemoto et al. column 4 lines 55-64).

As per claims 2, 10, 19, 27, 36, and 44, the modified McNeil et al. and Kagemoto et al. system discloses wherein said determining comprises determining a source network address community set (NACS) of said first data packet (see McNeil et al. column 8 line 50 through column 9 line 16).

As per claims 6, 23, and 40, the modified McNeil et al. and Kagemoto et al. system discloses wherein said processing further comprises discarding the first data packet, in response to determining the first incoming PCS does not match the second incoming PCS (see McNeil et al column 9 lines 1-16).

As per claims 8, 25, and 42, the modified McNeil et al. and Kagemoto et al. system discloses wherein changing said first incoming PCS to the outgoing PCS is in further response to determining that said first rule includes the action of forwarding said first data packet (see McNeil et al. column 8 line 50 through column 9 line 16).

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As per claims 12, 29, and 46, the modified McNeil et al. and Kagemoto et al. system transmitting said first data packet via an output interface of said firewall in response to detecting said outgoing PCS is a subset of the interface community set (IFCS) of said output interface (see McNeil et al. column 8 lines 50-67); discarding said first data packet in response to detecting said second PCS is not a subset of said IFCS (see McNeil et al column 9 lines 1-16).

As per claims 15, 32, and 49, the modified McNeil et al. and Kagemoto et al. system discloses consulting a community information base (CIB) (see McNeil et al. column 8 line 50 through column 9 line 49).

As per claims 16, 33, and 50, the modified McNeil et al. and Kagemoto et al. system discloses wherein said CIB includes community set information corresponding to network addresses, network services, and interfaces (see McNeil et al. column 8 line 50 through column 9 line 49).

As per claims 3, 11, 20, 28, 37, and 45, the modified McNeil et al. and Kagemoto et al. system discloses wherein said determining comprises determining a source network service community set (NSCS) of said first data packet (see McNeill Abstract).

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5. Claims 4, 13, 21, 30, 38, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified McNeil et al. and Kagemoto et al. system in further view of Kidambi (US 6424626).

As per claims 4, 13, 21, 30, 38, and 47, the modified McNeil et al. and Kagemoto et al. system fails to disclose the source and destination addresses are decoded from the header.

However, Kidambi discloses the idea of encoding the source and destination addresses in the header (see column 25 line 53 through column 26 line 3).

It would have been obvious to one of ordinary skill in the art at the time the invention was filed to encode the source and destination addresses in the header of a data packet because doing so is a commonly accepted method of effectively transmitting the source and destination addresses.

6. Claims 14, 17, 31, 34, 48, and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified McNeil et al. and Kagemoto et al. system in further view of Kisor (US 6266773).

As per claims 14, 17, 31, 34, 48, and 51, the modified McNeil et al. and Kagemoto et al. system fails to disclose the use of recording an event in a security log.

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However, Kisor teaches such a security log (see column 3 lines 42-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was filed to incorporate the ideas of Kisor with those of the modified McNeil et al. and Kagemoto et al. system and add a security log for recording an event for extra security and monitoring in the system.

#### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-4, 6, 8-21, 23, 25-38, 40, and 42-51 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pyzocha whose telephone number is (571) 272-3875. The examiner can normally be reached on 7:00am - 4:30pm first Fridays of the bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the



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organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MJP

  
EMMANUEL L. MOISE  
SUPERVISORY PATENT EXAMINER